



# STATE OF WISCONSIN

# Senate Journal

## One-Hundred and First Regular Session

11:55 A.M.

THURSDAY, February 13, 2014

The Senate met.

The Senate was called to order by Senator Fitzgerald.

Pursuant to Senate Rule 17 (6), the Chief Clerk makes the following entries under the above date.

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### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate Amendment 2 to **Senate Bill 504** offered by Senator Lazich.

Senate Amendment 3 to **Senate Bill 504** offered by Senator Harris.

Senate Amendment 1 to **Senate Bill 575** offered by Senator Tiffany.

Senate Amendment 1 to **Senate Bill 580** offered by Senator Petrowski.

Senate Amendment 2 to **Senate Bill 580** offered by Senator Petrowski.

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### INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

#### **Senate Joint Resolution 68**

Relating to: an advisory referendum on an amendment to the U.S. Constitution.

By Senators Hansen, Carpenter, Harris, Lassa, Lehman, Miller, Risser, Schultz, L. Taylor, Vinehout and Wirsch; cosponsored by Representatives C. Taylor, Shankland, Zamarripa, Berceau, Bewley, Doyle, Genrich, Goyke, Hesselbein, Hintz, Hulsey, Johnson, Jorgensen, Kahl, Kessler, Kolste, Milroy, Ohnstad, Pasch, Pope, Sargent, Sinicki, Wachs, Wright and Young.

To committee on **Senate Organization**.

#### **Senate Joint Resolution 69**

Relating to: honoring the life of Leo H. LaFerner Sr.

By Senator Jauch; cosponsored by Representatives Bewley and Milroy.

To committee on **Senate Organization**.

#### **Senate Joint Resolution 70**

Relating to: recognizing Black History Month.

By Senators Harris and L. Taylor; cosponsored by Representatives Johnson, Barnes, Goyke, Kessler, Pasch, Rodriguez, Young and Zamarripa.

To committee on **Senate Organization**.

#### **Senate Joint Resolution 71**

Relating to: proclaiming June as Pelvic Organ Prolapse Awareness Month.

By Senators Lazich and L. Taylor; cosponsored by Representatives Endsley, Skowronski and Johnson.

To committee on **Senate Organization**.

#### **Senate Joint Resolution 72**

Relating to: commending and congratulating Chancellor Charles W. Sorensen for his contributions to the University of Wisconsin-Stout and the state of Wisconsin.

By Senators Harsdorf, Moulton, Vinehout and Kedzie; cosponsored by Representatives Murtha, Knudson, Danou, Petryk, Hintz, Johnson, Brooks, T. Larson and Wright.

To committee on **Senate Organization**.

Read first time and referred:

#### **Senate Bill 590**

Relating to: tanning facilities.

By Senators Risser and Kedzie; cosponsored by Representatives Bewley, Berceau and Milroy.

To committee on **Health and Human Services**.

#### **Senate Bill 591**

Relating to: rule-making procedures and modifying and repealing various rules promulgated by the Department of Natural Resources.

By Senators Gudex, Hansen, Shilling, Lehman, L. Taylor and Schultz; cosponsored by Representatives Genrich, Swearingen, Bewley, Hulsey, Kahl, Kleefisch, Knodl, Krug, Mason, Milroy, Murtha, Ohnstad, Bernard Schaber, Thiesfeldt, Wright and Zamarripa.

To committee on **Natural Resources**.

#### **Senate Bill 592**

Relating to: the liability of an adult sponsor of a minor applicant for a motor vehicle operator's license.

By Senator Grothman; cosponsored by Representative J. Ott.

To committee on **Judiciary and Labor**.

#### **Senate Bill 593**

Relating to: an additional county sales and use tax for highway improvements.

By Senator Jauch; cosponsored by Representatives Milroy, Berceau, Ohnstad and T. Larson.

To committee on **Workforce Development, Forestry, Mining, and Revenue.**

**Senate Bill 594**

Relating to: contract and lease language that limits a party's access to procedural or substantive rights.

By Senators Miller, Lehman, Carpenter and Harris; cosponsored by Representatives Hebl, Berceau, Kessler and Wachs.

To committee on **Judiciary and Labor.**

**Senate Bill 595**

Relating to: procedures to preserve and determine the validity of certain liens and to make payments to prime contractors of public works contracts.

By Senators Olsen, Grothman and Gudex; cosponsored by Representatives Murphy, Knudson, Jacque, Weatherston, Kulp, Kaufert, Kahl and Strachota.

To committee on **Judiciary and Labor.**

**Senate Bill 596**

Relating to: including water trails in the state trail system.

By Senators Olsen, Kedzie, Lehman, Risser and Vinehout; cosponsored by Representatives Ripp, Bernard Schaber, Ohnstad, Bies, A. Ott and Thiesfeldt.

To committee on **Natural Resources.**

**Senate Bill 597**

Relating to: closing hours for retail sales by wineries and the possession and consumption of intoxicating liquor and fermented malt beverages on retail premises of wineries.

By Senators Harsdorf, Grothman, Vinehout, Gudex and Schultz; cosponsored by Representatives Severson, Bies, Ballweg, Danou, Murphy, Ohnstad, Petryk, Pridemore and Ringhand.

To committee on **Agriculture, Small Business, and Tourism.**

**Senate Bill 598**

Relating to: utilizing an alternative process for educator effectiveness.

By Senators Olsen and Darling; cosponsored by Representatives Kestell and Kooyenga.

To committee on **Education.**

**Senate Bill 599**

Relating to: accessing and obtaining patient health records by public defenders.

By Senators Grothman, L. Taylor, Petrowski, Risser, Lazich and Lassa; cosponsored by Representatives Tittl, Ballweg, Bies, Brooks, Goyke, Hulsey, Kaufert, Kleefisch, Krug, Murphy and Strachota.

To committee on **Judiciary and Labor.**

**Senate Bill 600**

Relating to: using force against a certified or licensed social worker, school social worker, mental health worker, human services or social services worker, or public health worker.

By Senators Shilling, Harris, L. Taylor, T. Cullen, Erpenbach, Risser, Wirch, Carpenter, Hansen and Lehman; cosponsored by Representatives Goyke, Barnes, Ohnstad, Kahl, Bies, Strachota, A. Ott, Brooks, Danou, Wright, Billings, Johnson, Bernard Schaber, Bewley, Kolste, Pope, Hebl, Berceau, Sargent, Pasch, Ringhand, Hesselbein, Zepnick and Hulsey.

To committee on **Health and Human Services.**

**Senate Bill 601**

Relating to: the operation of all-terrain vehicles and utility terrain vehicles on highway bridges.

By Senators Leibham and L. Taylor; cosponsored by Representatives Marklein, Born, Brooks, Czaja, Kaufert, Kleefisch, Knodl, Kulp, T. Larson, Milroy, Nerison, A. Ott, Petryk, Ringhand, Skowronski, Steineke, Swearingen and Vruwink.

To committee on **Transportation, Public Safety, and Veterans and Military Affairs.**

**Senate Bill 602**

Relating to: milk procurement fees.

By Senator Cowles; cosponsored by Representative Nerison.

To committee on **Agriculture, Small Business, and Tourism.**

**Senate Bill 603**

Relating to: licenses for new dairy plants, food warehouses, food processing plants, retail food establishments, and meat establishments.

By Senator Cowles; cosponsored by Representative Nerison.

To committee on **Agriculture, Small Business, and Tourism.**

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**REPORT OF COMMITTEES**

The committee on **Government Operations, Public Works, and Telecommunications** reports and recommends:

**Senate Bill 196**

Relating to: restricting the use of drones and providing a penalty.

Senate Amendment 1 adoption.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Senate Amendment 2 adoption.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Passage as amended.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

**Senate Bill 515**

Relating to: rule-making procedures and practice standards for certified public accountants.

Senate Amendment 1 adoption.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Senate Amendment 2 adoption.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

Passage as amended.

Ayes: 7 - Senators Farrow, Gudex, Lasee, Kedzie, Wirch, Harris and Shilling.

Noes: 0.

**Senate Bill 547**

Relating to: adaptive management plans for reducing discharges of phosphorus and total suspended solids to the waters of the state and a statewide variance to the water quality standard for phosphorus for certain dischargers.

Senate Amendment 1 adoption.

Ayes: 4 - Senators Farrow, Gudex, Lasee and Kedzie.

Noes: 3 - Senators Wirch, Harris and Shilling.

Passage as amended.

Ayes: 4 - Senators Farrow, Gudex, Lasee and Kedzie.

Noes: 3 - Senators Wirch, Harris and Shilling.

*PAUL FARROW*

Chairperson

Committee on Government Operations, Public Works, and Telecommunications

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The committee on **Transportation, Public Safety, and Veterans and Military Affairs** reports and recommends:

**ROTH JR., ROGER**, of Appleton, as a Congressional District 8 on the Board of Veterans Affairs, to serve for the term ending May 1, 2017.

Confirmation.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

**Assembly Bill 173**

Relating to: special distinguishing registration plates associated with Wisconsin Trout Unlimited and making an appropriation.

Concurrence.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

**Assembly Bill 258**

Relating to: maintenance and removal of vegetation obstructing the view of outdoor advertising signs along

highways under the jurisdiction of the Department of Transportation.

Senate Amendment 1 adoption.

Ayes: 4 - Senators Petrowski, Leibham, Carpenter and Hansen.

Noes: 1 - Senator Cowles.

Concurrence as amended.

Ayes: 3 - Senators Petrowski, Leibham and Hansen.

Noes: 2 - Senators Cowles and Carpenter.

**Assembly Bill 368**

Relating to: purchases or transfers of rifles or shotguns in other states.

Concurrence.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

**Senate Bill 510**

Relating to: tribal treatment facility participation in the intoxicated driver program.

Senate Amendment 1 introduction and adoption.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

Passage as amended.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

**Senate Bill 512**

Relating to: deposits on the sale of certain lead acid batteries.

Passage.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

**Senate Bill 570**

Relating to: yielding to an overtaking vehicle.

Passage.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

**Senate Bill 571**

Relating to: the cancellation of a motor vehicle title or registration for fraud on the Department of Transportation.

Passage.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.

Noes: 0.

**Senate Bill 572**

Relating to: expiration of motor vehicle operators' licenses issued after cancellation.

Passage.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.  
Noes: 0.

**Senate Bill 574**

Relating to: energy emergencies and vehicle weight limits.

Passage.

Ayes: 5 - Senators Petrowski, Leibham, Cowles, Carpenter and Hansen.  
Noes: 0.

*JERRY PETROWSKI*

Chairperson  
Committee on Transportation, Public Safety, and Veterans and Military Affairs

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**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule 17 (5), Representative Barca added as a co-sponsor of **Senate Bill 348**.

Pursuant to Senate Rule 17 (5), Representative Brooks added as a co-sponsor of **Senate Bill 589**.

Pursuant to Senate Rule 17 (5), Representative Murtha added as a co-sponsor of **Senate Bill 589**.

Pursuant to Senate Rule 17 (5), Representative Riemer added as a co-sponsor of **Senate Bill 546**.

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**LEGISLATIVE REFERENCE BUREAU CORRECTIONS**

**CORRECTIONS IN:**

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2013 SENATE BILL 397**

Prepared by the Legislative Reference Bureau  
(February 13, 2014)

1. Page 4, line 4: after “is” insert “renumbered 43.12 (2) (intro.) and”.
2. Page 4, line 5: after “(2)” insert “(intro.)”.

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**State of Wisconsin  
Office of the Governor**

February 13, 2014

The Honorable, the Senate:

This letter is to remove the following appointment from consideration for confirmation by the Wisconsin Senate:

**MCGRATH, BRIAN** of New Berlin, as a public member 4-landscape arch on the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2016.

Respectfully Submitted,  
*SCOTT WALKER*  
Governor

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**ADJOURNMENT**

Senator Fitzgerald, with unanimous consent, asked that the 2013 Regular Session of the Senate stand adjourned until Tuesday, February 18, 2014.

Adjourned.

11:56 A.M.